



**Burlington City Council
Meeting
December 15, 2009**

7:00 PM

Municipal Building

CALL TO ORDER: Mayor Ronnie K. Wall

INVOCATION: Councilmember Jim Butler

PROCLAMATION: Bill of Rights Day - December 15, 2009
Human Rights Week - December 13-19, 2009

RECOGNITIONS: Burlington Police Department - Officer Commendations

APPROVAL OF MINUTES:

1. November 30, 2009 - City Council Work Session
2. December 1, 2009 - City Council Meeting

ADOPTION OF AGENDA

CONSENT AGENDA:

ITEM 1:

- A) To approve the North Carolina State Firemen's Association annual certification pursuant to N.C.G.S. 58-86-25.
- B) To award a bid to McPherson Grading Company in the amount of \$103,365.00 for Maple Avenue sidewalk. Funds to complete this project are made available by Community Development Block Grant funds.
- C) Adopt a resolution declaring City of Burlington's intent to use Recovery Zone Economic Development Bonds.
- D) To approve the 2010 City Council meetings and work session meetings schedule as follows:

Work Session Meetings:

January 4	July 19
February 1	August 2
March 1	September 20
April 5	October 4
May 3	November 1
June 14	December 20

City Council Meetings:

January 5 and 19	August 4 and 17
February 2 and 16	September 7 and 21
March 2 and 16	October 5 and 19
April 6 and 20	November 2 and 16
May 4 and 18	December 7 and 21
June 1 and 15	
July 6 and 20	

PUBLIC HEARINGS:

2. A public hearing has been scheduled to consider rezoning from MF-A, Multifamily District, to CR, Conditional Residential District, to allow the use of a church with a parking lot across the street. The property is located at 331 Flushing Street as shown on Alamance County Tax Map 41-166-22 and 115-473-50A.
3. A public hearing has been scheduled to consider rezoning from R-6, Residential District, to R-M, Residential-Mobile Home District, property located on the east side of Riverview Drive approximately 300 feet from Durham Street Extension as shown on Alamance County Tax Map 12-30, Lots 3 and 4.
4. A public hearing has been scheduled to consider changing the name of a portion of West Morehead Street to West Maple Avenue.
5. A public hearing has been scheduled to receive citizen comments on Housing and Neighborhood and Community Revitalization needs to develop the five-year consolidated plan for the Community Development Block Grant Program.

REPORT:

6. Burlington Downtown Corporation Director Anne Morris and Downtown Corporation's President Kelly May will give a report on downtown activities.

REQUEST AND COMMUNICATION:

7. Ms. Sue Dayton, Blue Ridge Environmental Defense League, has requested to address the City Council concerning sewer sludge.

NEW BUSINESS:

8. The City Council will consider approving the Fees and Charges Schedule to be effective January 1, 2010.
9. The City of Burlington has been approved for American Recovery and Reinvestment Act of 2009 (ARRA) Revolving Loan assistance in the amount of \$101,400.

The City Council will consider the following actions:

1. Adopt a resolution of acceptance for the ARRA loan.
2. Approve Budget Amendment 2010-26 - To modify the project ordinance to include the engineering fee (\$17,500), loan fees (\$2,028), and the difference between the loan amount and the bid amount (\$13,800).
3. Adopt a resolution of tentative award in the amount of \$115,200.00 to Utility Service Company, Inc., and to authorize the City Manager and Director of Finance and Risk Management to execute any subsequent documents as needed.

BA2010-26

Increase Revenues:

030-39398-0000	Appropriated Fund Balance	\$ 33,328
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Increase Expenditures:

030-66661-9100	Operating Transfers Out	\$ 33,328
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ELEVATED WATER STORAGE TANKS SOLAR-POWERED MIXERS ARRA PROJECT ORDINANCE
BA2010-26
(Originally established with BA2010-12)

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159 of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

- Sec. 1. The project authorized consists of installing solar-powered mixers in each of the City's three elevated water storage tanks.
- Sec. 2. The officials of the City of Burlington are hereby directed to proceed with this project within the budget outlined in this project ordinance.
- Sec. 3. The following revenues are anticipated to be available to the City to complete the project:

643-38000-0030	Operating Trans In - W&S	\$ 33,328
643-38100-0002	Revolving Loan Proceeds (ARRA)	50,700
643-38200-0000	Principal Forgiveness Grant	50,700
- Sec. 4. The following amounts are appropriated for the project:

643-50000-1909	Loan Fees	\$ 2,028
643-50000-1900	Professional Services	17,500
643-60000-7300	Capital-Other Improvements	31,300
643-60000-7300	Capital-Other Improvements	83,900
- Sec. 5. The Finance Director shall report on the financial status of

this project as directed by the City Council and shall inform the Council of any unusual occurrences.

Sec. 6. Copies of this project ordinance shall be made available to the Budget Officer and the Finance Director for direction in carrying out this project.

Sec. 7. That this ordinance shall take effect upon passage.

10. To award a bid in the amount of \$1,717,791.84 to Thompson-Arthur Division APAC-Atlantic, Inc., for the 2010 street resurfacing project and to approve Budget Amendment 2010-27.

STREET RESURFACING RECOVERY ZONE ECONOMIC DEVELOPMENT
FINANCING PROJECT ORDINANCE
BA2010-27

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURLINGTON, NORTH CAROLINA, that pursuant to Section 13.2, Chapter 159, of the General Statutes of North Carolina, the following project ordinance is hereby adopted:

Sec. 1. The project authorized is the Street Resurfacing Recovery Zone Economic Development Project Ordinance to improve the infrastructure within the City limits of Burlington in order to facilitate economic recovery.

Sec. 2. The officials of the City of Burlington are hereby directed to proceed with this project within the budget outlined in the project ordinance.

Sec. 3. The following revenues are anticipated to be available to the City to complete the project:

440-38100-0000	Proc from RZED Install Fin	\$ 2,899,000
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Sec. 4. The following amounts are appropriated for the project:

440-50000-1909	Loan Fees	\$ 5,000
440-50000-1900	Professional Services	50,000
440-60000-8000	Contingency	290,000
440-60000-7301	Street Resurfacing/Repair	2,554,000

Sec. 5. The Finance Director shall report on the financial status of this project as directed by the City Council and shall inform the Council of any unusual occurrences.

Sec. 6. Copies of this project ordinance shall be made available to the Budget Officer and the Finance Director for direction in carrying out this project.

Sec. 7. That this ordinance shall take effect upon passage.

PUBLIC COMMENT PERIOD

CITY COUNCIL COMMENTS

ADJOURN